

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION No. 05-11562-RGS

FRED ROHRBACKER,

Plaintiff,

v.

MODERN CONTINENTAL COMPANIES, INC.,  
HARBOR CRUISES, LLC, BOSTON HARBOR  
CRUISES, a joint venture, PROVINCETOWN PUBLIC  
PIER CORPORATION and PROVINCETOWN-  
MacMILLAN REALTY TRUST,

Defendants.

**STIPULATION OF DISMISSAL  
AS TO PROVINCETOWN PUBLIC PIER CORPORATION**

The parties to the above-entitled action, pursuant to the provisions of

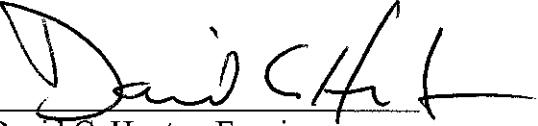
Mass.R.Civ.P.41(a)(1)(ii) hereby stipulate that all claims and cross-claims against the defendant, Provincetown Public Pier Corporation, be dismissed, without prejudice and without costs.

*Plaintiff,*  
Fred Rohrbacker,



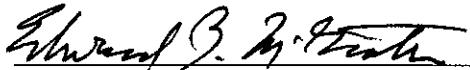
\_\_\_\_\_  
David J. Berg, Esquire  
Latti & Anderson, LLP  
30-31 Union Wharf  
Boston, MA 02109

*Defendant,*  
Provincetown Public Pier Corporation



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David C. Hunter, Esquire  
John J. Davis, Esquire  
Pierce, Davis & Perritano, LLP  
Ten Winthrop Square  
Boston, MA 02108

*Defendant,*  
Harbor Cruises, LLC



Edward B. McGrath, Esquire  
Burns & Farrey  
One Lewis Wharf  
Boston, MA 02110

*Defendant,*  
Provincetown-MacMillan Realty Trust



Kevin T. Smith, Esquire  
Masterman, Culbert & Tully, LLP  
446 Main Street  
Worcester, MA 01608

*Defendant,*  
Modern Continental Companies, Inc.



Jeanne O. McHugh, Esquire  
Kenner, Engelberg, Bratcher & Whalen  
60 State Street  
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Dated: July 18, 2006